

97TH CONGRESS  
1ST SESSION

# H. R. 4635

To authorize appropriations for fiscal years 1982 and 1983 for the Department of State, the International Communication Agency, and the Board for International Broadcasting, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 1981

Mr. FASCELL (for himself, Mr. ZABLOCKI, Mr. BROOMFIELD, and Mr. DERWINSKI) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To authorize appropriations for fiscal years 1982 and 1983 for the Department of State, the International Communication Agency, and the Board for International Broadcasting, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3                   **TITLE I—DEPARTMENT OF STATE**

4                               **SHORT TITLE**

5           SEC. 101. This title may be cited as the "Department of  
6   State Authorization Act, Fiscal Years 1982 and 1983".

## 1                   AUTHORIZATIONS OF APPROPRIATIONS

2           SEC. 102. There are authorized to be appropriated for  
3 the Department of State to carry out the authorities, func-  
4 tions, duties, and responsibilities in the conduct of the foreign  
5 affairs of the United States and other purposes authorized by  
6 law, the following amounts:

7           (1) For "Administration of Foreign Affairs",  
8       \$1,318,754,000 for the fiscal year 1982 and  
9       \$1,248,059,000 for the fiscal year 1983.

10          (2) For "International Organizations and Confer-  
11       ences", \$469,472,350 for the fiscal year 1982 and  
12       \$469,472,350 for the fiscal year 1983.

13          (3) For "International Commissions",  
14       \$22,508,000 for the fiscal year 1982 and \$24,759,000  
15       for the fiscal year 1983.

16          (4) For "Migration and Refugee Assistance",  
17       \$553,100,000 for the fiscal year 1982 and  
18       \$555,600,000 for the fiscal year 1983.

## 19                   PALESTINIAN RIGHTS UNITS

20       SEC. 103. Funds appropriated under paragraph (2) of  
21 section 102 of this Act may not be used for payment by the  
22 United States, as its contribution toward the assessed budget  
23 of the United Nations for any year, of any amount which  
24 would cause the total amount paid by the United States as its

1 assessed contribution for that year to exceed the amount as-  
2 sessed as the United States contribution for that year less—

3 (1) 25 per centum of the amount budgeted for that  
4 year for the Committee on the Exercise of the Inalien-  
5 able Rights of the Palestinian People (or any similar  
6 successor entity), and

7 (2) 25 per centum of the amount budgeted for that  
8 year for the Special Unit on Palestinian Rights (or any  
9 similar successor entity).

10 RESTRICTION ON CONTRIBUTIONS TO THE UNITED NA-  
11 TIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL OR-  
12 GANIZATION

13 SEC. 104. (a) None of the funds authorized to be appro-  
14 priated by section 102(2) of this Act or by any other Act for  
15 "International Organizations and Conferences" may be used  
16 for payment by the United States of its contribution toward  
17 the assessed budget of the United Nations Educational, Sci-  
18 entific and Cultural Organization if that organization imple-  
19 ments any policy or procedure the effect of which is to license  
20 journalists or their publications, to censor or otherwise re-  
21 strict the free flow of information within or among countries,  
22 or to impose mandatory codes of journalistic practice or  
23 ethics.

24 (b) Not later than February 1 of each year, the Secre-  
25 tary of State shall report to the Congress with respect to

1 whether the United Nations Educational, Scientific and Cul-  
2 tural Organization has taken any action described in subsec-  
3 tion (a) of this section.

4 EX GRATIA PAYMENT

5 SEC. 105. Of the amount appropriated for the fiscal year  
6 1982 under paragraph (1) of section 102 of this Act, \$81,000  
7 shall be available for payment ex gratia to the Government of  
8 Yugoslavia as an expression of concern by the United States  
9 Government for the injuries sustained by a Yugoslav national  
10 as a result of an attack on him in New York City.

11 ASSISTANCE FOR REFUGEES SETTLING IN ISRAEL

12 SEC. 106. Of the amounts authorized to be appropriated  
13 by paragraph (4) of section 102 of this Act, \$12,500,000 for  
14 the fiscal year 1982 and \$15,000,000 for the fiscal year  
15 1983 shall be available only for assistance for the resettle-  
16 ment in Israel of refugees from the Union of Soviet Socialist  
17 Republics and from Communist countries in Eastern Europe.

18 BILATERAL SCIENCE AND TECHNOLOGY AGREEMENTS

19 SEC. 107. In addition to the amounts authorized to be  
20 appropriated by section 102 of this Act, there are authorized  
21 to be appropriated to the Secretary of State \$3,700,000 for  
22 the fiscal year 1982 and \$3,700,000 for the fiscal year 1983  
23 for payment of the United States share of expenses of the  
24 science and technology agreements between the United

1 States and Yugoslavia and between the United States and  
2 Poland.

3 CURRENCY FLUCTUATIONS

4 SEC. 108. (a) Section 24(b) of the State Department  
5 Basic Authorities Act of 1956 (22 U.S.C. 2696(b)), is amend-  
6 ed to read as follows:

7 “(b)(1) In order to maintain the levels of program activi-  
8 ty provided for each fiscal year by the annual authorizing  
9 legislation for the Department of State, there are authorized  
10 to be appropriated for the Department such sums as may be  
11 necessary to offset adverse fluctuations in foreign currency  
12 exchange rates, or overseas wage and price changes, which  
13 occur after November 30 of the calendar year preceding the  
14 enactment of the authorizing legislation for such fiscal year.

15 “(2) In order to eliminate substantial gains to the ap-  
16 proved levels of overseas operations, the Secretary of State  
17 may transfer to the appropriation account established under  
18 paragraph (1) of this subsection such amounts in other appro-  
19 priation accounts under the heading ‘Administration of For-  
20 eign Affairs’ as the Secretary determines are excessive to the  
21 needs of the approved level of operations because of fluctu-  
22 ations in foreign currency exchange rates or changes in over-  
23 seas wages and prices.

24 “(3) Funds transferred from the appropriation account  
25 established under paragraph (1) shall be merged with and be

1 available for the same purpose, and for the same time period,  
2 as the appropriation account to which transferred; and funds  
3 transferred to the appropriation account established under  
4 paragraph (1) shall be merged with and available for the pur-  
5 poses of that appropriation account until expended. Any re-  
6 striction contained in an appropriation Act or other provision  
7 of law limiting the amounts available for the Department of  
8 State that may be obligated or expended shall be deemed to  
9 be adjusted to the extent necessary to offset the net effect of  
10 fluctuations in foreign currency exchange rates or overseas  
11 wage and price changes in order to maintain approved  
12 levels.”.

13 (b) Section 704(c) of the United States Information and  
14 Educational Exchange Act of 1948 (22 U.S.C 1477b(c)) is  
15 amended by striking out “preceding” and inserting in lieu  
16 thereof “calendar year preceding the enactment of the  
17 authorizing legislation for such”.

18 (c) Section 8(a)(2) of the Board for International Broad-  
19 casting Act of 1973 (22 U.S.C. 2287(a)(2)) is amended by  
20 striking out “preceding” in the first sentence and inserting in  
21 lieu thereof “calendar year preceding the enactment of the  
22 amendments to paragraph (1) which provide the authoriza-  
23 tion for such”.

24 (d) The amendments made by this section shall take  
25 effect on October 1, 1981.

1                   PASSPORT FEES AND PERIOD OF VALIDITY

2           SEC. 109. (a) The first sentence of section 1 under the  
3 heading "FEES FOR PASSPORTS AND VISES" of the Act of  
4 June 4, 1920 (22 U.S.C. 214), is amended to read as follows:  
5 "There shall be collected and paid into the Treasury of the  
6 United States a fee, prescribed by the Secretary of State by  
7 regulation, for each passport issued and a fee, prescribed by  
8 the Secretary of State by regulation, for executing each ap-  
9 plication for a passport."

10          (b)(1) Section 2 of the Act entitled "An Act to regulate  
11 the issue and validity of passports, and for other purposes",  
12 approved July 3, 1926 (22 U.S.C. 217a), is amended to read  
13 as follows:

14          "SEC. 2. A passport shall be valid for a period of ten  
15 years from the date of issue, except that the Secretary of  
16 State may limit the validity of a passport to a period of less  
17 than ten years in an individual case or on a general basis  
18 pursuant to regulation."

19          (2) The amendment made by this subsection applies  
20 with respect to passports issued after the date of enactment  
21 of this Act.

22                   DOCUMENTATION OF CITIZENSHIP

23          SEC. 110. The State Department Basic Authorities Act  
24 of 1956 is amended by inserting the following new section 33

1 immediately after section 32 and by redesignating existing  
2 section 33 as section 34:

3       “SEC. 33. The following documents shall have the same  
4 force and effect as proof of United States citizenship as certi-  
5 ficates of naturalization or of citizenship issued by the Attor-  
6 ney General or by a court having naturalization jurisdiction:

7           “(1) A passport, during its period of validity (if  
8 such period is the maximum period authorized by law),  
9 issued by the Secretary of State to a citizen of the  
10 United States.

11          “(2) The report, designated as a ‘Report of Birth  
12 Abroad of a Citizen of the United States’, issued by a  
13 consular officer to document a citizen born abroad.”.

14 PAN AMERICAN INSTITUTE OF GEOGRAPHY AND HISTORY

15       SEC. 111. Paragraph (1) of the first section of the joint  
16 resolution entitled “Joint Resolution to provide for member-  
17 ship of the United States in the Pan American Institute of  
18 Geography and History; and to authorize the President to  
19 extend an invitation for the next general assembly of the in-  
20 stitute to meet in the United States in 1935, and to provide  
21 an appropriation for expenses thereof”, approved August 2,  
22 1935 (22 U.S.C. 273), is amended by striking out “, not to  
23 exceed \$200,000 annually,”.



1 INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF  
2 PRIVATE LAW AND THE HAGUE CONFERENCE ON PRI-  
3 VATE INTERNATIONAL LAW

4 SEC. 112. Section 2 of the joint resolution entitled  
5 "Joint Resolution to provide for participation by the Govern-  
6 ment of the United States in the Hague Conference on Pri-  
7 vate International Law and the International (Rome) Insti-  
8 tute for the Unification of Private Law, and authorizing ap-  
9 propriations therefor", approved December 30, 1963 (22  
10 U.S.C. 269g-1), is amended by striking out ", except that"  
11 and all that follows through "that year".

12 PAN AMERICAN RAILWAY CONGRESS

13 SEC. 113. Section 2(a) of the joint resolution entitled  
14 "Joint Resolution providing for participation by the Govern-  
15 ment of the United States in the Pan American Railway  
16 Congress, and authorizing an appropriation therefor", ap-  
17 proved June 28, 1948 (22 U.S.C. 280k), is amended by  
18 striking out "Not more than \$15,000 annually" and inserting  
19 in lieu thereof "Such sums as may be necessary".

20 UNITED STATES REPRESENTATIVE TO INTERNATIONAL  
21 ORGANIZATIONS IN VIENNA

22 SEC. 114. Section 2 of the United Nations Participation  
23 Act of 1945 (22 U.S.C. 287) is amended by adding at the  
24 end thereof the following new subsection:

1       “(h) The President, by and with the advice and consent  
2 of the Senate, shall appoint a representative of the United  
3 States to the Vienna office of the United Nations with appro-  
4 priate rank and status, who shall serve at the pleasure of the  
5 President and subject to the direction of the Secretary of  
6 State. Such individual shall, at the direction of the Secretary  
7 of State, represent the United States at the Vienna office of  
8 the United Nations and perform such other functions there in  
9 connection with the participation of the United States in in-  
10 ternational organizations as the Secretary of State from time  
11 to time may direct.”.

12       LIVING QUARTERS FOR THE STAFF OF THE UNITED

13       STATES REPRESENTATIVE TO THE UNITED NATIONS

14       SEC. 115. Section 8 of the United Nations Participation  
15 Act of 1945 (22 U.S.C. 287e) is amended—

16               (1) by striking out “representative of the United  
17 States to the United Nations referred to in paragraph  
18 (a) of section 2 hereof” and inserting in lieu thereof  
19 “representatives provided for in section 2 of this Act  
20 and of their appropriate staffs”; and

21               (2) by adding at the end thereof the following:  
22       “Any payments made by United States Government  
23 personnel for occupancy by them of living quarters  
24 leased or rented under this section shall be credited to  
25 the appropriation, fund, or account utilized by the Sec-

1       retary of State for such lease or rental or to the appro-  
2       priation, fund, or account currently available for such  
3       purpose.”.

4           AMENDMENTS CORRECTING PRINTING ERRORS

5       SEC. 116. The Foreign Service Act of 1980 is  
6       amended—

7           (1) in section 704(b)(2) (22 U.S.C. 4024(b)(2)) by  
8       striking out “411” and inserting in lieu thereof “412”;  
9       and

10          (2) in section 814(a)(3) (22 U.S.C. 4054(a)(3)) by  
11       striking out “on” the second place it appears in the  
12       first sentence and inserting in lieu thereof “or”.

13       PRIVATE SECTOR REPRESENTATIVES ON UNITED STATES  
14       DELEGATIONS TO INTERNATIONAL TELECOMMUNICA-  
15       TIONS MEETINGS AND CONFERENCES

16       SEC. 117. (a) Sections 203, 205, 207, and 208 of title  
17       18, United States Code, shall not apply to a private sector  
18       representative on the United States delegation to an interna-  
19       tional telecommunications meeting or conference who is spe-  
20       cifically designated to speak on behalf of or otherwise repre-  
21       sent the interests of the United States at such meeting or  
22       conference with respect to a particular matter, if the Secre-  
23       tary of State (or his designee) certifies that no Government  
24       employee on the delegation is as well qualified to represent  
25       United States interests with respect to such matter and that

1 such designation serves the national interest. All such repre-  
2 sentatives shall have on file with the Department of State the  
3 financial disclosure report required for special Government  
4 employees.

5 (b) As used in this section, the term "international tele-  
6 communications meeting or conference" means the confer-  
7 ences of the International Telecommunications Union, meet-  
8 ings of its International Consultative Committees for Radio  
9 and for Telephone and Telegraph, and such other interna-  
10 tional telecommunications meetings or conferences as the  
11 Secretary of State may designate.

12

## PROCUREMENT CONTRACTS

13 SEC. 118. The State Department Basic Authorities Act  
14 of 1956 is amended by inserting the following new section  
15 immediately after section 13:

16 "SEC. 14. (a) Any contract for the procurement of prop-  
17 erty or services, or both, for the Department of State or the  
18 Foreign Service which is funded on the basis of annual ap-  
19 propriations may nevertheless be made for periods not in  
20 excess of five years when—

21 "(1) appropriations are available and adequate for  
22 payment for the first fiscal year and for all potential  
23 cancellation costs; and

24 "(2) the Secretary of State determines that—

13

1           “(A) the need of the Government for the  
2           property or service being acquired over the period  
3           of the contract is reasonably firm and continuing;

4           “(B) such a contract will serve the best in-  
5           terests of the United States by encouraging effec-  
6           tive competition or promoting economies in per-  
7           formance and operation; and

8           “(C) such a method of contracting will not  
9           inhibit small business participation.

10          “(b) In the event that funds are not made available for  
11          the continuation of such a contract into a subsequent fiscal  
12          year, the contract shall be canceled and any cancellation  
13          costs incurred shall be paid from appropriations originally  
14          available for the performance of the contract, appropriations  
15          currently available for the acquisition of similar property or  
16          services and not otherwise obligated, or appropriations made  
17          for such cancellation payments.”.

18                   COMPENSATION FOR DISABILITY OR DEATH

19          SEC. 119. The State Department Basic Authorities Act  
20          of 1956 is amended by inserting the following new section  
21          immediately after section 15:

22          “SEC. 16. The first section of the Act of August 16,  
23          1941 (42 U.S.C. 1651; commonly known as the Defense  
24          Base Act), shall not apply with respect to such contracts as  
25          the Secretary of State may determine which are contracts

1 with persons employed to perform work for the Department  
2 of State or the Foreign Service on an intermittent basis for  
3 not more than 90 days in a calendar year.”.

4 REGULATION OF FOREIGN MISSIONS

5 SEC. 120. (a) The State Department Basic Authorities  
6 Act of 1956 is amended by striking out “That the Secretary”  
7 in the first section and inserting in lieu thereof the following:

8 “TITLE I—BASIC AUTHORITIES GENERALLY

9 “SECTION 1. The Secretary”.

10 (b) That Act is further amended by adding at the end  
11 thereof the following:

12 “TITLE II—AUTHORITIES RELATING TO THE  
13 REGULATION OF FOREIGN MISSIONS

14 “DECLARATIONS OF FINDINGS AND POLICY

15 “SEC. 201. (a) The Congress finds that the operation in  
16 the United States of foreign missions and public international  
17 organizations and the official missions to such organizations,  
18 including the permissible scope of their activities and the lo-  
19 cation and size of their facilities, is a proper subject for the  
20 exercise of Federal jurisdiction.

21 “(b) The Congress declares that it is the policy of the  
22 United States to support the secure and efficient operation of  
23 United States missions abroad, to facilitate the secure and  
24 efficient operation in the United States of foreign missions  
25 and public international organizations and the official mis-

1 sions to such organizations, and to assist in obtaining appro-  
2 priate benefits, privileges, and immunities for those missions  
3 and organizations and to require their observance of corre-  
4 sponding obligations in accordance with international law.

5       “(c) The treatment to be accorded to a foreign mission  
6 in the United States shall be determined by the United States  
7 after due consideration of the benefits, privileges, and immu-  
8 nities provided to missions of the United States in the coun-  
9 try or territory represented by that foreign mission.

10                               “DEFINITIONS

11       “SEC. 202. (a) For purposes of this title—

12               “(1) ‘benefit’ (with respect to a foreign mission)  
13 means any acquisition, or authorization for an acquisi-  
14 tion, in the United States by or for a foreign mission,  
15 including the acquisition of—

16                       “(A) real property by purchase, lease, ex-  
17 change, construction, or otherwise,

18                       “(B) public services, including services relat-  
19 ing to customs, importation, and utilities, and the  
20 processing of applications or requests relating to  
21 public services,

22                       “(C) supplies, maintenance, and transporta-  
23 tion,

24                       “(D) locally engaged staff on a temporary or  
25 regular basis,

1           “(E) travel and related services, and

2           “(F) protective services,

3           and includes such other benefits as the Secretary may  
4           designate;

5           “(2) ‘chancery’ means the principal offices of a  
6           foreign mission used for diplomatic or related purposes,  
7           and annexes to such offices (including ancillary offices  
8           and support facilities), and includes the site and any  
9           building on such site which is used for such purposes;

10          “(3) ‘Director’ means the Director of the Office of  
11          Foreign Missions established pursuant to section  
12          203(a);

13          “(4) ‘foreign mission’ means any official mission to  
14          the United States involving diplomatic, consular, or  
15          other governmental activities of—

16                 “(A) a foreign government, or

17                 “(B) an organization (other than an interna-  
18                 tional organization, as defined in section 209(b) of  
19                 this title) representing a territory or political  
20                 entity which has been granted diplomatic or other  
21                 official privileges and immunities under the laws  
22                 of the United States,

23                 including any real property of such a mission and in-  
24                 cluding the personnel of such a mission;



1           “(5) ‘real property’ includes any right, title, or in-  
2           terest in or to, or the beneficial use of, any real prop-  
3           erty in the United States, including any office or other  
4           building;

5           “(6) ‘Secretary’ means the Secretary of State;

6           “(7) ‘sending State’ means the foreign govern-  
7           ment, territory, or political entity represented by a for-  
8           eign mission; and

9           “(8) ‘United States’ means, when used in a geo-  
10          graphic sense, the several States, the District of Co-  
11          lumbia, the Commonwealth of Puerto Rico, and the  
12          territories and possessions of the United States.

13          “(b) Determinations with respect to the meaning and  
14          applicability of the terms used in subsection (a) shall be com-  
15          mitted to the discretion of the Secretary.

16                   “OFFICE OF FOREIGN MISSIONS

17          “SEC. 203. (a) The Secretary shall establish an Office of  
18          Foreign Missions as an independent office within the Depart-  
19          ment of State. The Office shall be headed by a Director,  
20          appointed by the Secretary, who shall perform his or her  
21          functions under the supervision and direction of the Secre-  
22          tary. The Secretary may delegate this authority for supervi-  
23          sion and direction of the Director only to the Deputy Secre-  
24          tary of State or an Under Secretary of State.

25          “(b) The Secretary may authorize the Director to—

1           “(1) assist agencies of Federal, State, and munici-  
2           pal government with regard to ascertaining and ac-  
3           cording benefits, privileges, and immunities to which a  
4           foreign mission may be entitled;

5           “(2) provide or assist in the provision of benefits  
6           for or on behalf of a foreign mission in accordance with  
7           section 204; and

8           “(3) perform such other functions as the Secretary  
9           may determine necessary in furtherance of the policy of  
10          this title.

11                           “PROVISION OF BENEFITS

12          “SEC. 204. (a) Upon the request of a foreign mission,  
13          benefits may be provided to or for that foreign mission by or  
14          through the Director on such terms and conditions as the  
15          Secretary may approve.

16          “(b) If the Secretary determines that such action is rea-  
17          sonably necessary on the basis of reciprocity or otherwise—

18                   “(1) to facilitate relations between the United  
19                   States and a sending State,

20                   “(2) to protect the interests of the United States,

21                   “(3) to adjust for costs and procedures of obtain-  
22                   ing benefits for missions of the United States abroad,  
23                   or

1           “(4) to assist in resolving a dispute affecting  
2       United States interests and involving a foreign mission  
3       or sending State,

4 then the Secretary may require a foreign mission (A) to  
5 obtain benefits from or through the Director on such terms  
6 and conditions as the Secretary may approve, or (B) to  
7 comply with such terms and conditions as the Secretary may  
8 determine as a condition to the execution or performance in  
9 the United States of any contract or other agreement; the  
10 acquisition, retention, or use of any real property; or the ap-  
11 plication for or acceptance of any benefit (including any bene-  
12 fit from or authorized by any Federal, State, or municipal  
13 governmental authority, or any entity providing public serv-  
14 ices).

15       “(c) Terms and conditions established by the Secretary  
16 under this section may include—

17           “(1) a requirement to pay to the Director a sur-  
18 charge or fee, and

19           “(2) a waiver by a foreign mission (or any assign-  
20 ee of or person deriving rights from a foreign mission)  
21 of any recourse against any governmental authority,  
22 any entity providing public services, any employee or  
23 agent of such an authority or entity, or any other  
24 person, in connection with any action determined by

1 the Secretary to be undertaken in furtherance of this  
2 title.

3 “(d) For purposes of effectuating a waiver of recourse  
4 which is required under this section, the Secretary may des-  
5 ignate the Director or any other officer of the Department of  
6 State as the agent of a foreign mission (or of any assignee of  
7 or person deriving rights from a foreign mission). Any such  
8 waiver by an officer so designated shall for all purposes (in-  
9 cluding any court or administrative proceeding) be deemed to  
10 be a waiver by the foreign mission (or the assignee of or  
11 other person deriving rights from a foreign mission).

12 “(e) Neither the Director nor any other officer or em-  
13 ployee of the Department of State may certify or otherwise  
14 authenticate the accredited diplomatic status of a total of  
15 more than two persons for each foreign mission for the pur-  
16 pose of facilitating, directly or indirectly, the issuance to any  
17 such person of a diplomatic license plate for any motor vehi-  
18 cle by any Federal, State, or local governmental agency.

19 “PROPERTY OF FOREIGN MISSIONS

20 “SEC. 205. (a)(1) The Secretary may require any for-  
21 eign mission to notify the Director prior to any proposed ac-  
22 quisition, or any proposed sale or other disposition, of any  
23 real property by or on behalf of such mission. If such a notifi-  
24 cation is required, the foreign mission (or other party acting  
25 on behalf of the foreign mission) may initiate or execute any

1 contract, proceeding, application, or other action required for  
2 the proposed action—

3 “(A) only after the expiration of the sixty-day  
4 period beginning on the date of such notification (or  
5 after the expiration of such shorter period as the Sec-  
6 retary may specify in a given case); and

7 “(B) only if the mission is not notified by the Sec-  
8 retary within that period that the proposal has been  
9 disapproved; however, the Secretary may include in  
10 such a notification such terms and conditions as the  
11 Secretary may determine appropriate in order to  
12 remove the disapproval.

13 “(2) For purposes of this section, ‘acquisition’ includes  
14 any acquisition or alteration of, or addition to, any real prop-  
15 erty or any change in the purpose for which real property is  
16 used by a foreign mission.

17 “(b) The Secretary may require any foreign mission to  
18 divest itself of, or forgo the use of, any real property deter-  
19 mined by the Secretary—

20 “(1) not to have been acquired in accordance with  
21 this section; or

22 “(2) to exceed limitations placed on real property  
23 available to a United States mission in the sending  
24 state.



1 approval of the District of Columbia Foreign Missions Com-  
2 mission as provided in this section.

3       “(b)(1) There is hereby created, as an independent  
4 agency of the District of Columbia, the District of Columbia  
5 Foreign Missions Commission (hereafter in this section re-  
6 ferred to as the ‘Foreign Missions Commission’) which shall  
7 consist of the five members of the Zoning Commission for the  
8 District of Columbia (as such members are designated by sec-  
9 tion 492(a) of the District of Columbia Self-Government and  
10 Governmental Reorganization Act (D.C. Code, sec. 5-412)),  
11 the Chairman of the National Capital Planning Commission,  
12 and the Secretary of Defense, or such alternate as each such  
13 person may designate from time to time.

14       “(2) While actually engaged in the performance of  
15 duties as a member of the Foreign Missions Commission, the  
16 Chairman of the National Capital Planning Commission (or  
17 the alternate designated by the Chairman) shall be compen-  
18 sated by the District of Columbia in the manner and at the  
19 rates applicable to the members of the Zoning Commission  
20 for the District of Columbia who are appointed by the Mayor.

21       “(3) The Mayor of the District of Columbia shall furnish  
22 such facilities and administrative services, and shall assign  
23 such employees, to the Foreign Missions Commission as may  
24 be required by the Commission to carry out this section.

25       “(c) The Foreign Missions Commission shall—

1           “(1) establish areas within which chanceries may  
2           be located as a matter of right, and

3           “(2) establish additional areas within which chan-  
4           ceries may be located.

5           Limitations on chancery uses shall not exceed those applica-  
6           ble to any other nonresidential use in the areas so estab-  
7           lished.

8           “(d) Any determination by the Foreign Missions Com-  
9           mission pursuant to this section, including the establishment  
10          of areas in accordance with paragraphs (1) and (2) of subsec-  
11          tion (c), shall be considered rulemaking under the District of  
12          Columbia Administrative Procedure Act (D.C. Code, secs.  
13          1-1501—1-1510).

14          “(e) Any determination by the Foreign Missions Com-  
15          mission with respect to chanceries pursuant to this section,  
16          including the establishment of areas in accordance with para-  
17          graphs (1) and (2) of subsection (c), shall be based solely on  
18          the following criteria:

19               “(1) The obligation of the United States to facili-  
20               tate the provision of adequate and secure facilities for  
21               foreign missions in the Nation's Capital.

22               “(2) The chancery is in or adjacent to an area,  
23               determined on the basis of existing or planned uses, of  
24               (A) commercial use, or (B) mixed uses, including resi-  
25               dential, commercial, office, or institutional use.



1           “(3) Historic preservation, as determined by the  
2 Foreign Missions Commission in carrying out this sec-  
3 tion; except that substantial compliance with District  
4 and Federal laws governing historic preservation shall  
5 be required with respect to new construction and to  
6 demolition of or alteration to historic landmarks, in  
7 order to ensure compatibility with historic landmarks  
8 and districts.

9           “(4) The adequacy of off-street or other parking  
10 and the extent to which the area will be served by  
11 public transportation to reduce parking requirements,  
12 subject to such special security requirements as may be  
13 determined by the Secretary.

14           “(5) The extent to which the area will have ade-  
15 quate public facilities, utilities, and services, including  
16 streets, street lighting, water, sewer, electricity, tele-  
17 phone, and refuse collection.

18           “(6) The extent to which the area is capable of  
19 being adequately protected, as determined by a Federal  
20 agency authorized to perform protective services.

21           “(7) The municipal interest, as determined by the  
22 Mayor of the District of Columbia.

23           “(8) The Federal interest, as determined by the  
24 Secretary.

1 Any other determination by the Foreign Missions Commis-  
2 sion pursuant to this section shall be based solely on the cri-  
3 teria specified in paragraphs (1), (3), (6), (7), and (8), and  
4 such other criteria as the Commission may by regulation es-  
5 tablish.

6 “(f)(1) The regulations, proceedings, and other actions  
7 of the Foreign Missions Commission pursuant to this section  
8 shall not be inconsistent with Federal elements of the com-  
9 prehensive plan for the National Capital. All elements of the  
10 comprehensive plan relating to the location of foreign mis-  
11 sions shall be based solely on the criteria set forth in this  
12 section and shall reflect the policy of this title.

13 “(2) Proposed determinations by the Foreign Missions  
14 Commission shall be referred to the National Capital Plan-  
15 ning Commission for review and comment.

16 “(g) The Foreign Missions Commission shall promulgate  
17 such regulations as it determines are necessary for it to carry  
18 out this section.

19 “(h) This section shall not be construed to authorize,  
20 and the regulations of the Foreign Missions Commission shall  
21 not provide for or require, procedures in the nature of a spe-  
22 cial exception or administrative proceedings of an adjudica-  
23 tory nature.

24 “(i) In any proceeding with respect to approval of the  
25 location, replacement, or expansion of real property of a for-

1 eign mission pursuant to this section, the final determination  
2 by the Foreign Missions Commission shall be made not later  
3 than 6 months after the date of filing an application for such  
4 approval. Any such determination shall not be subject to ad-  
5 ministrative proceedings of any other agency or official  
6 except as provided in this title. Any such determination by  
7 the Foreign Missions Commission shall ensure the fulfillment  
8 of the obligation of the United States to facilitate the provi-  
9 sion of adequate and secure facilities for foreign missions and  
10 shall take into account special security requirements as deter-  
11 mined by the Secretary.

12       “(j) The Secretary shall require foreign missions to  
13 comply substantially with District of Columbia building and  
14 related codes in a manner determined by the Secretary to be  
15 not inconsistent with the international obligations of the  
16 United States.

17       “(k) The United States, acting on its own behalf or on  
18 behalf of a foreign mission—

19               “(1) has standing to bring an action for judicial  
20 review of a determination by the Foreign Missions  
21 Commission under this section or, where appropriate,  
22 for judicial enforcement of the requirements of this sec-  
23 tion applicable to the Commission; and

24               “(2) has standing to intervene in any such action  
25 which is otherwise pending.

1       “(l) Approval by the Foreign Missions Commission  
2 under this section or, except as provided in section 205, by  
3 any other agency or official is not required—

4               “(1) for the location, replacement, or expansion of  
5 real property of a foreign mission to the extent—

6                       “(A) that authority to proceed with respect  
7 to such location, replacement, or expansion was  
8 granted to the foreign mission before the date of  
9 enactment of this section, or

10                      “(B) that rights or interests with respect to  
11 such location, replacement, or expansion were  
12 otherwise acquired by the foreign mission before  
13 the date of enactment of this section; or

14               “(2) for continuing use of real property by a for-  
15 eign mission for diplomatic, consular, or other govern-  
16 mental activity to the extent that such property was  
17 being used by that foreign mission for that activity on  
18 the date of enactment of this section.

19                               “PREEMPTION

20       “SEC. 207. Notwithstanding any other provision of law,  
21 no act of any Federal agency or of any State or municipal  
22 governmental authority shall be effective to confer or deny  
23 any benefits with respect to any foreign mission contrary to  
24 this title.

1 "GENERAL PROVISIONS

2 "SEC. 208. (a) The Secretary may issue such regula-  
3 tions as the Secretary may determine necessary to carry out  
4 the policy of this title.

5 "(b) Compliance with any regulation, instruction, or di-  
6 rection issued by the Secretary under this title shall to the  
7 extent thereof be a full acquittance and discharge for all pur-  
8 poses of the obligation of the person making the same. No  
9 person shall be held liable in any court or administrative pro-  
10 ceeding for or with respect to anything done or omitted in  
11 good faith in connection with the administration of, or pursu-  
12 ant to and in reliance on, this title, or any regulation, instruc-  
13 tion, or direction issued by the Secretary under this title.

14 "(c) For purposes of administering this title—

15 "(1) the Secretary may accept details and assign-  
16 ments of employees of Federal agencies to the Office of  
17 Foreign Missions on a reimbursable or nonreimbursable  
18 basis (with any such reimbursements to be credited to  
19 the appropriations made available for the salaries and  
20 expenses of officers and employees of the employing  
21 agency); and

22 "(2) the Secretary may, to the extent necessary  
23 to obtain services without delay, exercise his authority  
24 to employ experts and consultants under section 3109  
25 of title 5, United States Code, without requiring com-

1       pliance with such otherwise applicable requirements for  
2       that employment as the Secretary may determine,  
3       except that such employment shall be terminated after  
4       60 days if by that time those requirements are not  
5       complied with.

6       “(d) Contracts and subcontracts for supplies or services,  
7       including personal services, made by or on behalf of the Di-  
8       rector, shall be made after advertising, in such manner and at  
9       such times as the Secretary shall determine to be adequate to  
10      ensure notice and opportunity for competition, except that  
11      advertisement shall not be required when (1) the Secretary  
12      determines that it is impracticable or will not permit timely  
13      performance to obtain bids by advertising, or (2) the aggre-  
14      gate amount involved in a purchase of supplies or procure-  
15      ment of services does not exceed \$10,000. Such contracts  
16      and subcontracts may be entered into without regard to laws  
17      and regulations otherwise applicable to solicitation, negotia-  
18      tion, administration, and performance of government con-  
19      tracts. In awarding contracts, the Secretary may consider  
20      such factors as relative quality and availability of supplies or  
21      services and the compatibility of the supplies or services with  
22      implementation of this title.

23      “(e) The head of any Federal agency may, for purposes  
24      of this title—

1           “(1) transfer or loan any property to, and perform  
2       administrative and technical support functions and  
3       services for the operations of, the Office of Foreign  
4       Missions (with reimbursements to agencies under this  
5       paragraph to be credited to the current applicable ap-  
6       propriation of the agency concerned); and

7           “(2) acquire and accept services from the Office of  
8       Foreign Missions, including (whenever the Secretary  
9       determines it to be in furtherance of the purposes of  
10      this title) acquisitions without regard to laws normally  
11      applicable to the acquisition of services by such  
12      agency.

13          “(f) Assets of or under the control of the Office of For-  
14      eign Missions, wherever situated, which are used by or held  
15      for the use of a foreign mission shall not be subject to attach-  
16      ment, execution, injunction, or similar process, whether inter-  
17      mediate or final.

18          “(g) Except as otherwise provided, any determination  
19      required under this title shall be committed to the discretion  
20      of the Secretary. Actions taken under the authority of this  
21      title shall not be considered rulemaking within the meaning  
22      of section 553 of title 5, United States Code.

23          “(h)(1) In order to implement this title, the Secretary  
24      may transfer such amounts available to the Department of

1 State as may be necessary to the working capital fund estab-  
2 lished by section 13 of this Act.

3 “(2) Notwithstanding any other provision of law, all  
4 revenues, including proceeds from gifts and donations, re-  
5 ceived by the Director or the Secretary in carrying out this  
6 title may be credited to the working capital fund established  
7 by section 13 of this Act and shall be available for purposes  
8 of this title in accordance with that section.

9 “APPLICATION TO PUBLIC INTERNATIONAL ORGANIZA-  
10 TIONS AND OFFICIAL MISSIONS TO SUCH ORGANIZA-  
11 TIONS

12 “SEC. 209. (a) The Secretary may make section 206, or  
13 any other provision of this title, applicable with respect to an  
14 international organization to the same extent that it is appli-  
15 cable with respect to a foreign mission if the Secretary deter-  
16 mines that such application is necessary to carry out the  
17 policy set forth in section 201(b) and to further the objectives  
18 set forth in section 204(b).

19 “(b) For purposes of this section, ‘international organi-  
20 zation’ means—

21 “(1) a public international organization designated  
22 as such pursuant to the International Organizations  
23 Immunities Act (22 U.S.C. 288—288f-2) or other law  
24 authorizing such status; or



1           “(2) an official mission (other than a United  
2       States mission) to such a public international organiza-  
3       tion,  
4       including any real property of such an organization or mis-  
5       sion and including the personnel of such an organization or  
6       mission.

7                       “PRIVILEGES AND IMMUNITIES

8       “SEC. 210. Nothing in this title shall be construed to  
9       limit the authority of the United States to carry out its inter-  
10      national obligations, or to supersede or limit immunities oth-  
11      erwise available by law. No act or omission by any foreign  
12      mission, public international organization, or official mission  
13      to such an organization, in compliance with this title, shall be  
14      deemed to be an implied waiver of any immunity otherwise  
15      provided for by law.

16                      “ENFORCEMENT

17      “SEC. 211. It shall be unlawful for any person to make  
18      available any benefits to a foreign mission contrary to this  
19      title. In addition to means of enforcement otherwise availa-  
20      ble, this title shall be enforceable in any appropriate district  
21      court of the United States by injunctive or other relief upon  
22      application by the Attorney General.

23                      “SEVERABILITY

24      “SEC. 212. If any provision of this title or the applica-  
25      tion thereof to any person or circumstance is held invalid, the

1 remainder of this title and the application of such provision to  
2 any other person or circumstance shall not be affected there-  
3 by.”.

4 (c) Section 13 of the State Department Basic Authori-  
5 ties Act of 1956 (22 U.S.C. 2684) is amended in the first  
6 sentence by striking out “and” following the semicolon at the  
7 end of clause (3), and by inserting immediately before the  
8 period at the end thereof “; and (5) services and supplies to  
9 carry out title II of this Act”.

10 (d)(1) Subparagraph (A) of section 2(1) of the Diplomatic  
11 Relations Act (22 U.S.C. 254a(1)(A)) is amended to read as  
12 follows:

13 “(A) the head of a mission and those mem-  
14 bers of a mission who are members of the diplo-  
15 matic staff or who, pursuant to law, are granted  
16 equivalent privileges and immunities,”.

17 (2) Section 3(b) of such Act (22 U.S.C. 254b) is amend-  
18 ed to read as follows:

19 “(b) With respect to a nonparty to the Vienna Conven-  
20 tion, the mission, the members of the mission, their families,  
21 and diplomatic couriers shall enjoy the privileges and immu-  
22 nities specified in the Vienna Convention.”.

23 (3) Section 4 of such Act (22 U.S.C. 254c) is amended—

24 (A) by inserting “the mission, the” immediately  
25 after “immunities for”; and

1 (B) by striking out "of any sending state".

2 (4) Section 1364 of title 28, United States Code, is  
3 amended by striking out "as defined in the Vienna Conven-  
4 tion on Diplomatic Relations" and inserting in lieu thereof  
5 "within the meaning of section 2(3) of the Diplomatic Rela-  
6 tions Act (22 U.S.C. 254a(3))".

7 (e) The Act of June 20, 1938 (Public Law 684, 75th  
8 Congress; 52 Stat. 797) is amended—

9 (1) in section 6 by striking out "(a)", and by strik-  
10 ing out subsections (b), (c), (d), and (e); and

11 (2) in section 16 by adding at the end thereof the  
12 following new sentence: "In addition, the provisions of  
13 this Act shall not apply to any real property to which  
14 section 206(a) of the State Department Basic Authori-  
15 ties Act of 1956 (relating to foreign missions) is appli-  
16 cable."

17 REOPENING CERTAIN UNITED STATES CONSULATES

18 SEC. 121. (a) None of the funds made available under  
19 this or any other Act for the "Administration of Foreign Af-  
20 fairs" may be used for the establishment or operation of any  
21 United States consulate that did not exist on the date of en-  
22 actment of this Act (other than the consulates specified in  
23 subsection (b) of this section) unless all of the United States  
24 consulates specified in subsection (b) of this section have been

1 reopened as required by section 108 of the Department of  
2 State Authorization Act, Fiscal Years 1980 and 1981.

3 (b) The consulates referred to in subsection (a) of this  
4 section are the consulates in the following locations: Turin,  
5 Italy; Salzburg, Austria; Goteborg, Sweden; Bremen, Ger-  
6 many; Nice, France; Mandalay, Burma; and Brisbane, Aus-  
7 tralia.

8 UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND  
9 CULTURAL ORGANIZATION

10 SEC. 122. (a) The Congress finds that—

11 (1) a free press is vital to the functioning of free  
12 governments;

13 (2) article 19 of the Universal Declaration of  
14 Human Rights provides for the right to freedom of ex-  
15 pression and to “seek, receive and impart information  
16 and ideas through any media regardless of frontiers”;

17 (3) the Constitution of the United Nations Educa-  
18 tional, Scientific, and Cultural Organization provides  
19 for the promotion of “the free flow of ideas by words  
20 and images”;

21 (4) the signatories of the Final Act of the Confer-  
22 ence on Security and Cooperation in Europe (Hel-  
23 sinki, 1975) pledged themselves to foster “freer flow  
24 and wider dissemination of information of all kinds, to  
25 encourage cooperation in the field of information and

1 the exchange of information with other countries, and  
2 to improve conditions under which journalists from one  
3 participating State exercise their profession in another  
4 participating State"; and

5 (5) government censorship, domination, or sup-  
6 pression of a free press is a danger to free men and  
7 women everywhere.

8 (b) Therefore, it is the sense of the Congress that the  
9 United Nations Educational, Scientific, and Cultural Organi-  
10 zation should cease efforts to attempt to regulate news con-  
11 tent and to formulate rules and regulations for the operation  
12 of the world press.

13 (c) The Congress opposes efforts by some countries to  
14 control access to and dissemination of news.

15 (d) The President shall evaluate and, not later than six  
16 months after the date of enactment of this Act, shall report to  
17 the Congress his assessment of—

18 (1) the extent to which United States financial  
19 contributions to the United Nations Educational, Scien-  
20 tific, and Cultural Organization, and the extent to  
21 which the programs and activities of that Organization,  
22 serve the national interests of the United States;

23 (2) the programs and activities of the United Na-  
24 tions Educational, Scientific, and Cultural Organiza-

1       tion, especially its programs and activities in the com-  
2       munications sector; and

3           (3) the quality of United States participation in  
4       the United Nations Educational, Scientific, and Cultur-  
5       al Organization, including the quality of United States  
6       diplomatic efforts with respect to that Organization,  
7       the quality of United States representation in the Sec-  
8       retariat of that Organization, and the quality of recruit-  
9       ment of United States citizens to be employed by that  
10      Organization.

11   Such report should include the President's recommendations  
12   regarding any improvements which should be made in the  
13   quality and substance of United States representation in the  
14   United Nations Educational, Scientific, and Cultural Organi-  
15   zation.

## 16       TITLE II—INTERNATIONAL COMMUNICATION

### 17                           AGENCY

#### 18                           SHORT TITLE

19       SEC. 201. This title may be cited as the "International  
20   Communication Agency Authorization Act, Fiscal Years  
21   1982 and 1983".

#### 22                           AUTHORIZATIONS OF APPROPRIATIONS

23       SEC. 202. There are authorized to be appropriated for  
24   the International Communication Agency \$561,402,000 for  
25   the fiscal year 1982 and \$656,505,000 for the fiscal year

1 1983 to carry out international communication, educational,  
2 cultural, and exchange programs under the United States In-  
3 formation and Educational Exchange Act of 1948, the  
4 Mutual Educational and Cultural Exchange Act of 1961, and  
5 Reorganization Plan Numbered 2 of 1977, and other pur-  
6 poses authorized by law.

7 CHANGES IN ADMINISTRATIVE AUTHORITIES

8 SEC. 203. (a)(1) Title III of the United States Informa-  
9 tion and Educational Exchange Act of 1948 (22 U.S.C.  
10 1451-1453) is amended—

11 (A) in section 301 by striking out “citizen of the  
12 United States” and inserting in lieu thereof “person”;  
13 and

14 (B) in sections 302 and 303 by striking out “citi-  
15 zen of the United States” and inserting in lieu thereof  
16 “person in the employ or service of the Government of  
17 the United States”.

18 (2) Such title is further amended—

19 (A) in section 301—

20 (i) by striking out “Secretary” the first place  
21 it appears and inserting in lieu thereof “Director  
22 of the International Communication Agency”, and

23 (ii) by striking out “Secretary” the second  
24 place it appears and inserting in lieu thereof “Di-  
25 rector”; and

1 (B) in section 303 by striking out "Secretary"  
2 and inserting in lieu thereof "Director of the Interna-  
3 tional Communication Agency".

4 (3) Section 302 of such Act is amended—

5 (A) in the second sentence by striking out "sec-  
6 tion 901(3) of the Foreign Service Act of 1946 (60  
7 Stat. 999)" and inserting in lieu thereof "section 905  
8 of the Foreign Service Act of 1980"; and

9 (B) in the last sentence by striking out "section  
10 1765 of the Revised Statutes" and inserting in lieu  
11 thereof "section 5536 of title 5, United States Code".

12 (b) Section 802 of such Act (22 U.S.C. 1472) is  
13 amended—

14 (1) by inserting "(a)" immediately after "SEC.  
15 802."; and

16 (2) by adding at the end thereof the following new  
17 subsection:

18 "(b)(1) Any contract authorized by subsection (a) and  
19 described in paragraph (3) of this subsection which is funded  
20 on the basis of annual appropriations may nevertheless be  
21 made for periods not in excess of five years when—

22 "(A) appropriations are available and adequate for  
23 payment for the first fiscal year and for all potential  
24 cancellation costs; and



1           “(B) the Director of the International Communi-  
2 cation Agency determines that—

3           “(i) the need of the Government for the  
4 property or service being acquired over the period  
5 of the contract is reasonably firm and continuing;

6           “(ii) such a contract will serve the best inter-  
7 ests of the United States by encouraging effective  
8 competition or promoting economies in perform-  
9 ance and operation; and

10           “(iii) such method of contracting will not in-  
11 hibit small business participation.

12           “(2) In the event that funds are not made available for  
13 the continuation of such a contract into a subsequent fiscal  
14 year, the contract shall be canceled and any cancellation  
15 costs incurred shall be paid from appropriations originally  
16 available for the performance of the contract, appropriations  
17 currently available for the acquisition of similar property or  
18 services and not otherwise obligated, or appropriations made  
19 for such cancellation payments.

20           “(3) This subsection applies to contracts for the procure-  
21 ment of property or services, or both, for the operation, main-  
22 tenance, and support of programs, facilities, and installations  
23 for or related to telecommunication activities, newswire serv-  
24 ices, and the distribution of books and other publications in  
25 foreign countries.”.

1 (c) Paragraph (16) of section 804 of such Act (22  
2 U.S.C. 1474(16)) is amended by inserting "and security" im-  
3 mediately after "right-hand drive".

4 (d) Title VIII of such Act (22 U.S.C. 1471-1475b) is  
5 amended by adding at the end thereof the following new sec-  
6 tion:

7 "ACTING ASSOCIATE DIRECTORS

8 "SEC. 808. If an Associate Director of the International  
9 Communication Agency dies, resigns, or is sick or absent, the  
10 Associate Director's principal assistant shall perform the  
11 duties of the office until a successor is appointed or the ab-  
12 sence or sickness stops."

13 (e) Title VIII of such Act is further amended by adding  
14 at the end thereof the following new section:

15 "COMPENSATION FOR DISABILITY OR DEATH

16 "SEC. 809. A cultural exchange, international fair or  
17 exposition, or other exhibit or demonstration of United States  
18 economic accomplishments and cultural attainments, pro-  
19 vided for under this Act or the Mutual Educational and Cul-  
20 tural Exchange Act of 1961 shall not be considered a 'public  
21 work' as that term is defined in the first section of the Act of  
22 August 16, 1941 (42 U.S.C. 1651; commonly known as the  
23 Defense Base Act)."

1 (f) Section 1011(h) of such Act (22 U.S.C. 1442(h)) is  
2 amended by adding at the end thereof the following new  
3 paragraph:

4 “(4) Section 701(a) of this Act shall not apply with re-  
5 spect to any amounts appropriated under this section for the  
6 purpose of liquidating the notes (and any accrued interest  
7 thereon) which were assumed in the operation of the informa-  
8 tional media guaranty program under this section and which  
9 were outstanding on the date of enactment of this para-  
10 graph.”.

11 DISTRIBUTION WITHIN THE UNITED STATES OF THE FILM  
12 ENTITLED “REFLECTIONS: SAMUEL ELIOTT MORISON”

13 SEC. 204. (a) Notwithstanding the second sentence of  
14 section 501 of the United States Information and Education-  
15 al Exchange Act of 1948 (22 U.S.C. 1461)—

16 (1) the Director of the International Communica-  
17 tion Agency shall make available to the Administrator  
18 of General Services a master copy of the film entitled  
19 “Reflections: Samuel Eliott Morison”; and

20 (2) the Administrator shall reimburse the Director  
21 for any expenses of the Agency in making that master  
22 copy available, shall secure any licenses or other rights  
23 required for distribution of that film within the United  
24 States, shall deposit that film in the National Archives  
25 of the United States, and shall make copies of that film

1       available for purchase and public viewing within the  
2       United States.

3       (b) Any reimbursement to the Director pursuant to this  
4 section shall be credited to the applicable appropriation of the  
5 International Communication Agency.

6 DISTRIBUTION WITHIN THE UNITED STATES OF THE IN-  
7 TERNATIONAL COMMUNICATION AGENCY FILM ENTI-  
8 TLED "AND NOW MIGUEL"

9       SEC. 205. (a) Notwithstanding the second sentence of  
10 section 501 of the United States Information and Education-  
11 al Exchange Act of 1948 (22 U.S.C. 1461)—

12           (1) the Director of the International Communica-  
13 tion Agency shall make available to the Administrator  
14 of General Services a master copy of the film entitled  
15 "And Now Miguel"; and

16           (2) the Administrator shall reimburse the Director  
17 for any expenses of the Agency in making that master  
18 copy available, shall secure any licenses or other rights  
19 required for distribution of that film within the United  
20 States, shall deposit that film in the National Archives  
21 of the United States, and shall make copies of that film  
22 available for purchase and public viewing within the  
23 United States.

1 (b) Any reimbursement to the Director pursuant to this  
2 section shall be credited to the applicable appropriation of the  
3 International Communication Agency.

4 REDESIGNATION OF THE INTERNATIONAL COMMUNICA-  
5 TION AGENCY AS THE UNITED STATES INFORMATION  
6 AGENCY

7 SEC. 206. (a) The International Communication  
8 Agency, established by Reorganization Plan Numbered 2 of  
9 1977, is hereby redesignated the United States Information  
10 Agency. The Director of the International Communication  
11 Agency or any other official of the International Communica-  
12 tion Agency is hereby redesignated the Director or other offi-  
13 cial, as appropriate, of the United States Information  
14 Agency.

15 (b) Any reference in any statute, reorganization plan,  
16 Executive order, regulation, agreement, determination, or  
17 other official document or proceeding to the International  
18 Communication Agency or the Director or other official of  
19 the International Communication Agency shall be deemed to  
20 refer respectively to the United States Information Agency  
21 or the Director or other official of the United States Informa-  
22 tion Agency, as so redesignated by subsection (a).

23 (c) This section shall take effect on January 1, 1982.

1           **TITLE III—BOARD FOR INTERNATIONAL**  
2                           **BROADCASTING**

3                           **SHORT TITLE**

4           SEC. 301. This title may be cited as the “Board for  
5 International Broadcasting Authorization Act, Fiscal Years  
6 1982 and 1983”.

7                           **AUTHORIZATIONS OF APPROPRIATIONS**

8           SEC. 302. Subparagraph (A) of section 8(a)(1) of the  
9 Board for International Broadcasting Act of 1973 (22 U.S.C.  
10 2877(a)(1)(A)) is amended to read as follows:

11                   “(A) \$100,300,000 for the fiscal year 1981,  
12           \$98,317,000 for the fiscal year 1982, and  
13           \$115,031,000 for the fiscal year 1983; and”.

14           **TITLE IV—MISCELLANEOUS PROVISIONS**

15                           **INTER-AMERICAN FOUNDATION**

16           SEC. 401. (a) The first sentence of section 401(s)(2) of  
17 the Foreign Assistance Act of 1969 (22 U.S.C. 290f(s)(2)) is  
18 amended by striking out “\$25,000,000 for each of the fiscal  
19 years 1979 and 1980” and inserting in lieu thereof  
20 “\$12,000,000 for the fiscal year 1982 and \$20,000,000 for  
21 the fiscal year 1983”.

22           (b) Section 401(h) of that Act (22 U.S.C. 290f(h)) is  
23 amended by striking out “actual and necessary expenses not  
24 in excess of \$50 per day, and for transportation expenses”

1 and inserting in lieu thereof "travel expenses, including per  
2 diem in lieu of subsistence, in accordance with section 5703  
3 of title 5, United States Code".

4 SCIENTIFIC EXCHANGE ACTIVITIES WITH THE SOVIET

5 UNION

6 SEC. 402. (a) Prior to renewal of the General Agree-  
7 ment on Contracts, Exchanges and Cooperation between the  
8 United States and the Union of Soviet Socialist Republics,  
9 and prior to resumption of high-level meetings or of planning  
10 for future exchange activities or to increasing significantly  
11 individual exchange activities pursuant to the 11 agreements  
12 for cooperation in specialized fields which were entered into  
13 by United States and the Union of Soviet Socialist Republics  
14 between 1972 and 1974, or by June 1, 1982 (whichever  
15 occurs first), the Secretary of State shall submit to the  
16 Speaker of the House of Representatives and chairman of the  
17 Committee on Foreign Relations of the Senate a report con-  
18 taining—

19 (1) an assessment of the risk of the transfer to the  
20 Soviet Union of militarily significant technology  
21 through research, exchanges, and other activities con-  
22 ducted pursuant to those agreements; and

23 (2) a detailed description on the exchanges and  
24 other activities conducted pursuant to those agree-

1       ments during fiscal year 1979, fiscal year 1980, and  
2       fiscal year 1981, including—

3               (A) the areas of cooperation,

4               (B) the specific research and projects in-  
5       volved,

6               (C) the man-hours spent in short-term (less  
7       than sixty days) and long-term exchanges,

8               (D) the level of United States and Soviet  
9       funding in each such fiscal year, and

10              (E) an assessment of the equality or inequal-  
11       ity in value of the information exchanged.

12       (b) The Secretary of State shall prepare the report re-  
13       quired by subsection (a) in consultation and cooperation with  
14       the Secretary of Defense and the heads of the other agencies  
15       involved in the exchange and other cooperative activities  
16       conducted pursuant to the agreements described in that sub-  
17       section.

18       (c) No funds appropriated for the Department of State  
19       or the International Communication Agency may be obligat-  
20       ed or expended after June 30, 1982, to finance any long-  
21       term scientific or technological exchange between the United  
22       States and the Soviet Union, including any long-term scien-  
23       tific or technological exchange program of the United States-  
24       Union of Soviet Socialist Republics graduate student/young



1 faculty exchange or of the United States-Union of Soviet So-  
2 cialist Republics senior scholar exchange.

3 REPORT TO THE CONGRESS

4 SEC. 403. (a) Not later than sixty days after the date of  
5 enactment of this Act, the President shall prepare and trans-  
6 mit to the Congress a full and complete report on the total  
7 cost of Federal, State, and local efforts to assist refugees and  
8 Cuban and Haitian entrants within the United States or  
9 abroad for each of the fiscal years 1981 and 1982. Such  
10 report shall include and set forth for each such fiscal year—

11 (1) the costs of assistance for resettlement of refu-  
12 gees and Cuban and Haitian entrants within the  
13 United States or abroad;

14 (2) the costs of United States contributions to for-  
15 eign governments, international organizations, or other  
16 agencies which are attributable to assistance for refu-  
17 gees and Cuban and Haitian entrants;

18 (3) the costs of Federal, State, and local efforts  
19 other than described in paragraphs (1) and (2) to assist,  
20 and provide services for, refugees and Cuban and Hai-  
21 tian entrants;

22 (4) administrative and operating expenses of Fed-  
23 eral, State, and local governments that are attributable  
24 to programs of assistance or services described in para-  
25 graphs (1), (2) and (3); and

1           (5) administrative and operating expenses incurred  
2       by the United States because of the entry of such  
3       aliens into the United States.

4       (b) For purposes of this section—

5           (1) the term “refugees” is used within the mean-  
6       ing of paragraph (42) of section 101(a) of the Immigra-  
7       tion and Nationality Act; and

8           (2) the phrase “Cubans and Haitian entrants”  
9       means Cuban and Haitians paroled into the United  
10      States, pursuant to section 212(d)(5) of the Immigra-  
11      tion and Nationality Act, during 1980 who have not  
12      been given or denied refugee status under the Immi-  
13      gration and Nationality Act.

14   SUPPORTING IMPLEMENTATION OF THE WORLD HEALTH  
15   ORGANIZATION VOLUNTARY CODE ON INFANT FORMULA

16   SEC. 404. (a) The Congress finds that—

17           (1) there is overwhelming scientific evidence that  
18       breastfeeding has substantial advantages for infant  
19       health and growth, that it offers an uncontaminated  
20       food supply, an early transfer of antibodies protective  
21       against infectious diseases, and a naturally evolved and  
22       tested nutritional source, and that it is an important  
23       factor in bonding between mother and child;

24           (2) numerous studies, in a wide variety of devel-  
25       oped and developing countries, over a long period of

1 time, have shown that artificial infant feeding is associ-  
2 ated with higher rates of illness and death and, in poor  
3 communities, with lessened growth and nutrition;

4 (3) the problem of unrefrigerated infant formula  
5 prepared with polluted water and placed in inadequate-  
6 ly cleaned bottles is further complicated by flies and  
7 heat in tropical climates;

8 (4) one hundred million of the one hundred and  
9 twenty-five million children in the world below the age  
10 of one are born in developing countries;

11 (5) ten million of these one hundred million chil-  
12 dren will probably not live until their first birthday;

13 (6) diarrhea and other infectious diseases, when  
14 combined with the problems of malnutrition, account  
15 for more than half of these deaths;

16 (7) the use of infant formula rather than breast-  
17 feeding is estimated to account for up to a million of  
18 these deaths per year; and

19 (8) at a recent meeting of the World Health Orga-  
20 nization, the United States was the only country, in a  
21 one hundred and eighteen to one vote, to vote against  
22 a voluntary code to encourage breastfeeding and to  
23 curb inappropriate marketing and advertising of infant  
24 formula, particularly in the Third World.

25 (b) Therefore, the Congress—

1           (1) expresses its dismay at the negative vote cast  
2           by the United States on May 21, 1981, at the Thirty-  
3           Fourth World Health Assembly of the World Health  
4           Organization on the "International Code of Marketing  
5           of Breastmilk Substitutes";

6           (2) urges the administration to notify promptly the  
7           World Health Organization that the Government of the  
8           United States will cooperate fully with other nations in  
9           implementation of that code;

10          (3) urges the United States infant formula indus-  
11          try to abide by the guidelines of that code, particularly  
12          with respect to exports and the activities of subsidiar-  
13          ies in developing countries; and

14          (4) reaffirms the dedication of the United States to  
15          the protection of the lives of all the world's children  
16          and the support of the United States for efforts to im-  
17          prove world health.

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